

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

UNITED STATES OF AMERICA

V.

CRIMINAL NO. 4:07CR189-MPM-EMB

DERRICK DEMOND BRANCH

ORDER

This cause comes before the Court on Defendant's Motion for an Order Requiring the Prosecution to Give Notice of Its Intention to Use Other Crimes, Wrongs or Acts Evidence [doc. 13] and the government's Response [doc. 15] thereto. Defendant requests an order requiring the government to give two weeks notice prior to trial of its intent to use evidence of other crimes, wrongs or acts at trial pursuant to Rule 12(b)(2) of the *Federal Rules of Criminal Procedure* and Rules 104 and 404 of the *Federal Rules of Evidence*. The Court agrees with the government that Defendant's motion should be construed as nothing more than a request for said discovery. Accordingly, the instant motion is **DENIED**.

SO ORDERED this 21st day of December, 2007.

/s/ Eugene M. Bogen
U. S. MAGISTRATE JUDGE